



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

SK

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/970,068	10/02/2001	Chia-Tin Chung	13732.1US01	9067
23552	7590	03/01/2004	EXAMINER	
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			GARRETT, DAWN L	
			ART UNIT	PAPER NUMBER
			1774	

DATE MAILED: 03/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/970,068

Applicant(s)

CHUNG ET AL.

Examiner

Dawn Garrett

Art Unit

1774

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-5 and 12-23 is/are rejected.
- 7) ☒ Claim(s) 6-11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 16, 2004 has been entered.
2. The amendment filed November 26, 2003 has now been entered as requested on January 16, 2004. Claims 1, 4, 5, 7, 9, 10, and 14 have been amended. Claim 2 is canceled. New claims 17-23 have been added. Claims 1 and 3-23 are currently pending.
3. The rejection of claims 1 and 11 under 35 USC 103(a) as being unpatentable over Rogers (US 6,081,071) in view of Young et al. (US 6,489,719) previously set forth in paper no. 7 (mailed August 27, 2003), paragraph 6, is withdrawn.
4. The rejection of claim 3 under 35 USC 103(a) as being unpatentable over Rogers (US 6,081,071) in view of Young et al. (US 6,489,719) in further view of Bernius et al. (US 6,383,664) previously set forth in paper no. 7 (mailed August 27, 2003), paragraph 7, is withdrawn.

Claim Objections

5. Claims 6-12 are objected to because of the following informalities:
 - a. It is suggested the word "boned" in the last line of claim 6 be changed to "bonded".

Art Unit: 1774

- b. In claim 12, it is suggested "absorption of moisture, oxygen, and impurities" be changed to "absorption of moisture, oxygen, or impurities".

Appropriate correction or clarification is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 3, 12, 13, 16-19, 22, and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamazaki et al. (US 2002/0125817 A1). Yamazaki et al. discloses organic electroluminescent devices comprising a substrate such as glass (see par. 50), filler (710) added with a drying agent (709) (see par. 55) per the instant drying layer of adhesive and composite material, a sealing member (712) made of an ultraviolet ray curing resin (see Fig. 7 and par. 55) per instant claims 1, 3, 12, 13, and 19. The casing (713) and (711) reads upon the sealing case (see Figure 7). The filler material of the drying layer includes adhesive material such as epoxy resin (see par. 19). Per instant claim 16, the EL device is comprised of a cathode, light emitting region of organic compounds TPD and Alq and an anode (see par. 51 and 52) per instant claim 16. Yamazaki et al. is deemed to disclose all components of the listed claims.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 1774

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 4, 5, 14, 15, 20, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamazaki et al. (US 2002/0125817 A1) in view of Nishio et al. (US 6624570). Yamazaki et al. teaches a drying layer comprising filler (per the adhesive) and drying material (per the composite material), but fails to teach specific compounds for use as the drying material. Nishio et al. teaches, in analogous art, CaO as a drying agent in adhesive material for use in an electroluminescent device (see col. 8, lines 12-13). It would have been obvious to one of ordinary skill in the art at the time of the invention to have selected calcium oxide (CaO) as the drying agent for the Yamazaki et al. drying material, because Nishio et al. teaches CaO is useful as a drying agent in a luminescent device and one would expect CaO to be similarly useful as the Yamazaki et al. drying material.

Allowable Subject Matter

10. Claims 6-11 contain allowable subject matter for the reasons previously recited in paper no. 5, paragraph 9. It is noted that claim 6 stands objected for containing a typographical error.

Response to Arguments

11. Applicant's arguments with respect to claims 1 and 3-23 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dawn Garrett whose telephone number is 571-272-1523. The

Art Unit: 1774

examiner can normally be reached Monday through Friday during normal business hours. Please allow the examiner twenty-four hours to return your call.

If reasonable attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly, can be reached at 571-272-1526. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DAWN GARRETT
EXAMINER
ART UNIT 1774

D.G.
February 18, 2004